CASE No. 15

THE STATUS OF INFRASUBSPECIFIC NAMES (Z.N.(S.) 1569)

By Cyril F. Dos Passos (*Washington Corners, Mendham, N.J.*)

I propose that the International Code of Zoological Nomenclature adopted by the XV International Congress of Zoology, London, July 1958 be amended by adding a new chapter thereto to be known as XA Infrasubspecific names. In support of the proposals that follow I wish to point out that :

The question of recognizing names of lower catagories than species and subspecies appears to have originated at the XII International Congress of Zoology held at Lisbon in 1935 (2nd Meeting, Conclusion 17) but no action was taken at that time.

The problem was considered in detail in 1948 at the Paris Congress when the Honorary Secretary, Mr. Francis Hemming, presented Commission Paper I.C. (48) 9 in which he reported at length on the subject and recommended that provisions regulating infrasubspecific names be incorporated into the *Régles* (1950, *Bull. zool. Nomencl.*, 4 : 81–82, 83–96). At that meeting, Mr. Hemming's views were generally accepted and such provisions were added to the *Régles*. The provisions were part of the *Régles* for ten years (1948–1958).

The matter next came up at the Colloquium in Copenhagen in 1953 (Case No. 58) where a proposal was made for the withdrawal of recognition from names of less than subspecific rank. This proposal was rejected (1953, Copenhagen Decisions, pp. 83–84). Another proposal to postpone the coming into operation of, and to amend, the provisions relating to the naming of infrasubspecific forms adopted at Paris in 1948 (*op. cit.* No. 57) was also rejected.

Acting in accordance with the Paris and Copenhagen decisions, Professor Bradley, President of the Commission, incorporated such provisions in Article 15 of the draft Code that was submitted to the Colloquium in London in 1958. There, short work was made of this article and all provisions relating to infrasubspecific names that had been part of the *Régles* for ten years were stricken out.

In his preface to the 1958 Code (p.v.), adopted at London, Professor Bradley wrote :

> The failure of the Code to deal with names of higher rank than superfamily or of lower rank than subspecies arises from no failure *to recognize the necessity of such names.* It exists because the practice of zoologists in regard to them is not sufficiently uniform to permit the formulation of rules covering them at this time. (italics mine)

While it may be true that the practice of zoologists with respect to names of higher rank than superfamily is not sufficiently uniform to permit the

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formulation of rules covering them that is not the case with names of lower rank than species and subspecies.

It is therefore proposed that a new article be added to the Code to read as follows :

Xa INFRASUBSPECIFIC NAMES

49A **Recognition of infrasubspecific names.**

(a) Infrasubspecific names are recognized by the Code for taxa of lower catagories than species and subspecies.

(b) In the event of any conflict between the rules governing species and subspecies and those governing infrasubspecific names the former rules shall prevail.

(c) The names of infrasubspecific forms are co-ordinate among themselves, but not with specific and subspecific names.

49B **Priority and Homonymy.**

(a) The Law of Priority and the Law of Homonymy shall apply independently to the two classes of names.

(b) Other rules that relate to specific and subspecific names shall apply equally to infrasubspecific names excepting those that would be obviously inappropriate.

49C **Articles of the Code applicable to infrasubspecific names.**

The following provisions of the Code apply specifically to infrasubspecific forms :

(a) **Article 10. When a name becomes available**

. . .

(b) **Infrasubspecific names.**—A name first established with infrasubspecific rank becomes available if the taxon in question is elevated to a rank of the species-group, and takes the date and authorship of its elevation.

(b) **Article 45. Taxa of the species-group**

. . .

(d) (iii) infrasubspecific, if the author, when originally establishing the name, either expressly referred the taxon to an infrasubspecific rank, or, after 1960, did not clearly state that it was a subspecies.

(e) Interpretation of the terms " variety " and " form "

(i) Before 1961, the use of either of the terms " variety " or " form " is not to be interpreted as an express statement of either subspecific or infrasubspecific rank.

(ii) After 1960, a new name published as that of a " variety " or " form " is to be regarded as of infrasubspecific rank.

49D **Designation of parallel infrasubspecific forms.**

Special designations of parallel infrasubspecific forms occurring in two or more allied species or their subspecies may be established but only by the Commission acting under its plenary powers.

Such designations:

(1) Shall consist of Latin or latinized words, or words treated as such,
(2) shall comply with all provisions in this Code relating to the formation, derivation, and orthography of specific names,
(3) shall have absolute priority over any name that may have been given to that form in any of the species concerned,
(4) shall have absolute priority over any other use of the same word as the name of any other infrasubspecific form of any species in the same genus or designated group of genera, and
(5) shall be exempt from invalidation under the Law of Homonymy.

49E. **Status of infrasubspecific names.**

(a) Subjective status of rank.—If a taxonomist does not recognize the taxonomic validity of the elevation of an established infrasubspecific form, he may retain its former name and status of priority and shall ascribe it to its original author.

(b) Reduction in rank.—If an established species or subspecies is subsequently reduced to infrasubspecific rank, it shall retain its original specific or subspecific name, with its original date priority and author.

49F **Citation of names.**

(a) Infrasubspecific names.—The designation of an infrasubspecific form shall consist of (1) the binomen or trinomen to which the infrasubspecific name is attached followed by (2) a comma and an expression indicating the status attributed to the form in question (e.g.: " form. vern.," or " ab.") and ending with (3) the name of the infrasubspecific form.

The language of the foregoing paragraphs is practically the same as that used by Professor Bradley. It has not been possible to improve upon it.

If this proposal is adopted I further propose that Articles 1, 15, 17(9) and 45c be amended by deleting the matter contained in brackets in the following quotations from those Articles:

Article 1 [to infrasubspecific forms as such,]

Article 15 [or one proposed explicitly as the name of a " variety " or " form " (Art. 45e),]

Article 17(9) [before 1961, it was proposed as a " variety " or " form ".]

Article 45(c) [Infrasubspecific forms.—Infrasubspecific forms are excluded from the species-group and the provisions of this Code do not apply to them [Article 1 ; see Article 10b].] and that the subdivisions of this article be relettered (a) (b) (c) and (d).

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infrasubspecific, a. Of a category or name, of lower rank than the subspecies [, and, as such, not subject to regulation by the Code [Arts. 1 and 45d).].

It is, of course, a fact that a large number of zoologists have no use for infrasubspecific names, but it is also a fact that a perhaps smaller or less articulate number, mostly lepidopterists, do have use for such names, a large number of which exist in the literature. The necessity of such names definitely exists. There is no reason why these two groups of zoologists cannot live together in complete harmony each having what it wants. This would be accomplished if species and subspecies had their own laws and infrasubspecific forms had theirs, neither conflicting in any way with the other set of laws.

As one who has never proposed a name for an infrasubspecific form I am perhaps in as good a position as anyone to propose the foregoing amendments to the Code, as a solution that should be satisfactory to all concerned. Such is the purpose of the foregoing proposals.

CASE No. 16

A NAME FIRST PUBLISHED AS A SYNONYM IS NOT THEREBY MADE AVAILABLE. Article 11(d). (Z.N.(S.) 1570)

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If publication in a synonymy is deemed to be retroactive, as seems to be generally understood, what becomes of such a name that before 1958 had been removed from the synonymy and used for a taxon ? Must it now be replaced ? If so, it would seem that a sentence should be added to this provision to the effect that it is not applicable to such a name for an animal.

Therefore, it is proposed that Article 11(d) be amended to read as follows (new matter in italics) :

(d) Publication in synonymy.—A name first published as a synonym is not thereby made available *unless prior to* 1958 *it has been recognized, removed from the synonymy and used as the name of a taxon.*